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UPDATED INFORMATION ON FISHING BYCATCH OF THE ATLANTIC SALMON, INNER BAY OF FUNDY POPULATION, AND ITS IMPACT ON THE SURVIVAL OR RECOVERY OF THIS ATLANTIC SALMON DESIGNATABLE UNIT (DU)

Context

The Committee on Endangered Wildlife in Canada (COSEWIC) identified the inner Bay of Fundy (iBoF) Atlantic Salmon assemblage as a Designatable Unit (DU). The DU includes all drainages from the Mispec River, NB to the Pereaux River, NS (DFO 2010). Atlantic Salmon iBoF population, was included as 'Endangered' on Schedule 1 of the *Species at Risk Act* (SARA) when the *Act* was passed in 2003. Following the coming into force of SARA, an Allowable Harm Assessment (Amiro 2004) and Recovery Potential Assessment (RPA) (DFO 2008; Gibson et al. 2008) were completed to evaluate the scope for harm to this species under existing conditions. As required by SARA, a Recovery Strategy was completed for iBoF Salmon (DFO 2010). Supported by the scope for harm, as outlined in the RPA, the Recovery Strategy includes a list of existing licensed activities that are permitted to continue under SARA via the Recovery Strategy. Exempting activities in this manner must not compromise the goals and objectives of the Recovery Strategy. In other words, such activities must not jeopardize the survival or recovery of the population.

Updated iBoF Salmon bycatch information and advice on its impact on the survival or recovery of this population assemblage was requested by the Species at Risk Management Division (SARMD), Fisheries and Oceans Canada (DFO), Maritimes Region, for consideration in upcoming amendments to the Recovery Strategy. The objectives of this request were to:

- provide any new information regarding iBoF salmon bycatch in existing licensed commercial, recreational, and Aboriginal fisheries in inland and tidal waters of the Bay of Fundy,
- describe the impact of these activities on the survival or recovery of iBoF Salmon that was not considered in previously-published DFO Science advice (Amiro 2004, DFO 2008), and
- verify accuracy of conclusions drawn in previously-published DFO Science advice (Amiro 2004, DFO 2008) regarding the potential impact of these activities on the survival or recovery of iBoF Salmon if new information does exist, and provide updated conclusions and advice, if required.

Given that this request was for an update of previous advice using established methods (Amiro 2004; DFO 2008; DFO 2010; Clarke et al. 2014), it was decided to use the Science Response Process. This information will be used to inform DFO management decisions.

Overall, salmon bycatch data continues to be unavailable for the iBoF DU rendering the current level of fishing bycatch unquantifiable. Although at-sea survival remains very low, the level of uncertainty around bycatch fishing mortality continues to warrant precautionary management measures.

This Science Response Report results from the Science Response Process of September 10, 2015, on the Updated Information on Fishing Bycatch of Atlantic salmon, Inner Bay of Fundy Population, and its Impact on the Survival or Recovery of this Atlantic Salmon Designatable Unit (DU).

Background

Population Status

Although COSEWIC reconfirmed the iBoF Salmon's *Endangered* designation in 2010 (COSEWIC 2010), a full assessment of the status of the iBoF Salmon population has not been conducted since 2008 (Gibson et al. 2008; DFO 2008). Therefore, the population status of the iBoF Salmon, as well as at-sea mortality rates, was updated for inclusion in this review to evaluate the possible effects of bycatch on the current iBoF Salmon population's recovery potential.

Gibson et al. (2008) assessed at-sea-survival to evaluate the iBoF Salmon's capacity to recover under varying conditions, including increasing levels of human impact (e.g., bycatch levels). In order to update the possible effect of bycatch on the current population level, at-sea-survival was re-assessed based on data from the Big Salmon River.

The iBoF Salmon Recovery Strategy identifies 10 rivers that contained residual native populations essential to the persistence of iBoF Salmon: Big Salmon, Upper Salmon, Point Wolfe, Economy, Portapique, Great Village, Folly, Debert, Stewiacke, and Gaspereau rivers. Of these 10 critical rivers, only the Portapique does not receive support from the Live Gene Bank (LGB) program (i.e., a captive rearing program designed to minimize the loss of genetic diversity, such that the populations can be restored when conditions become favorable for their survival in the wild [O'Reilly and Harvie 2010]).

Population status is evaluated using a comparison of the estimated egg deposition (calculated from the estimated abundance and biological characteristics) relative to a reference point known as the conservation requirement (i.e., 2.4 eggs/m^2). Additional indicators of population status include juvenile salmon densities and smolt abundance estimates. A summary of assessment data available for each salmon life stage for 50 rivers in the iBoF region is provided in Table 1. Of these, the Big Salmon River in NB and the Gaspereau River in NS are the rivers with ongoing programs to monitor the status of the iBoF Salmon in the wild.

A summary of the population status on these rivers within the last five years, and a summary of the results of a broadscale electrofishing survey conducted in 2014, are provided below.

Big Salmon River

Adult returns: Counts of small and large salmon from snorkel surveys are used to estimate the total number of returning adult salmon to the Big Salmon River each year. When numbers allow, mark and recapture techniques are used to estimate the snorkel observation rates. Estimates of total adult returns from 2010 to 2014 have averaged 56 fish with a range of 11 (2014) to 118 (2011) (Table 1). Returns to the Big Salmon River in each of the past five years has remained below the conservation requirement (2.2 million eggs) and has contributed to less than 12 % of the requirement in each year from 2010 to 2014.

Smolt abundance and return rates: A Rotary Screw Trap (RST, also known as smolt wheel) has been operated on the Big Salmon River just above the high tide marker since 2001. Using mark

and recapture methods, smolt assessments have been conducted from 2001 to 2015. The RST is also used to collect smolts for the LGB broodstock program. The mean annual smolt production for the previous five years (excluding 2015, as assessment still underway) is 12,690. The return rate from smolt to one-sea-winter (1SW) salmon is an indicator of survival at-sea and the previous five-year mean is 0.27% (ranging from 0.04-0.61%) (Table 1). The return rate for the Big Salmon River indicates that there has been no significant improvement in marine survival for the iBoF populations since the RPA was completed (DFO 2008).

Gaspereau River

Adult returns: Adult salmon returns to the Gaspereau River are monitored by counting the number of small and large salmon ascending the fish ladder that provides upstream passage above the dam at the White Rock Hydroelectric Facility. In the past five seasons (2010-2014), adult salmon counts have averaged six fish and have ranged from two to 13. Based on results of genetic analysis, the majority (62%) of the returns have been of LGB origin. From 2010-14, the Gaspereau River Salmon population destined for rearing habitat upriver of the White Rock Hydroelectric Facility has remained below the conservation requirement (520,000 eggs) with estimated egg depositions below 9% of the requirement in each of these five years.

Smolt abundance and return rates: Smolt assessment facilities in three downstream surface bypasses at the White Rock Hydroelectric Facility are operated to assess smolt abundance and to collect smolts for the LGB program. The mean number of smolts captured in the bypasses from 2011 to 2015 has averaged 1,060 and counts have ranged between 212 (2014) to 2,441 (2011) smolts. The efficiencies of the bypasses vary annually and smolt abundance estimates are not available annually, therefore no smolt-to-adult return rates have been calculated for this river.

Broadscale Electrofishing Survey

In 2014, an extensive electrofishing survey was undertaken to look for the presence of juvenile salmon in primarily 'non-LGB' supported rivers (i.e., no salmon, at any stage, had been stocked in the rivers for at least four years prior to the survey). Exceptions were: the Great Village River, which received juveniles in 2010, and Salmon River (Truro), which had been stocked annually with adults as a way to evaluate spawning success of an adult stocking strategy. During the 2014 broadscale survey, a total of 33 rivers were surveyed and this resulted in juvenile salmon captured in only 7 rivers (range: one to 31 salmon caught per river, one to six sites fished per river). Only 5 non-LGB supported rivers had juvenile salmon present: 4 New Brunswick rivers (Irish, Mosher, Black, and Mispec rivers) and the Portapique River in Nova Scotia. These 4 New Brunswick rivers are not included in the iBoF Salmon's long term recovery targets (DFO 2010) and although juveniles were found in these 4 rivers, they were at low densities. The Portapique River has been identified as a river containing critical habitat and, therefore, essential to the survival or recovery of iBoF Salmon (DFO 2010). The genetic origin of the juveniles caught in all rivers during the broadscale survey has yet to be determined. Juvenile origin is an important unknown warranting further study, as the majority of the rivers (aside from the Portapique) with juveniles present were in close proximity to the outer Bay of Fundy (oBoF) DU, and juvenile production could be the result of straying adults salmon spawning in these rivers (DFO 2008).

Table 1- A summary of the recent (2010-2014) assessment data available for each salmon life stage in the 50 iBoF rivers (refer to Appendix 3 for a map showing location of these rivers). The rivers are grouped based on LGB status and the categories outlined in the Recovery Strategy (DFO 2010) as well as identified geographically by a combination of the pertinent Important Habitat Area (DFO 2013) and BoF location code as well as the Fisheries Statistical District (FSD) of interest. These designations are used in the qualitative assessment analysis in Table 2. The mean with range in () is presented when available. Rivers not assessed for specific life stage identified by ".".

River	Prov.	River Map No.	River Category[1]	Imp. Hab. Area[2]	FSD[3]	Assessment Data (2010-14)			LGB Releases (2010-14)				Smolt-to-1SW Return Rate
						Adults	Smolts	Juveniles[4]	Fry	Parr	Smolt	Adult	
Gaspereau	NS	4	LGB5 TOP10 TOP19 iBoF32	2MB	41	6 (2-13)	Present	.	X	X	X	X	.
Stewiacke	NS	10	LGB5 TOP10 TOP19 iBoF32	2MB	42	Present	Present	.	X	X	X	X	.
Upper Salmon	NS	37	LGB5 TOP10 TOP19 iBoF32	2CB	79	Present	Present	.	X	X	.	X	.
Point Wolfe	NB	38	LGB5 TOP10 TOP19 iBoF32	2CB	79	Present	Present	.	.	X	.	X	.
Big Salmon	NB	43	LGB5 TOP10 TOP19 iBoF32	3BoF	48	56 (11-118)	12,690	.	X	X	X	X	0.27% (.04-.61%)
Debert	NS	14	TOP10 TOP19 iBoF32	2MB	43	.	.	.	X	X	.	X	.
Folly	NS	15	TOP10 TOP19 iBoF32	2MB	43	.	.	.	X	X	.	X	.
Great Village	NS	16	TOP10 TOP19 iBoF32	2MB	43	.	.	Present	X	X	.	X	.
Portapique	NS	17	TOP10 TOP19 iBoF32	2MB	43	.	.	Present	.	.	.	.	.
Economy	NS	19	TOP10 TOP19 iBoF32	2MB	43	.	.	.	.	X	X	X	.
Shubenacadie	NS	9	TOP19 iBoF32	2MB	42	.	.	Absent	.	.	.	.	.

River	Prov.	River Map No.	River Category[1]	Imp. Hab. Area[2]	FSD[3]	Assessment Data (2010-14)			LGB Releases (2010-14)				Smolt-to-1SW Return Rate
						Adults	Smolts	Juveniles[4]	Fry	Parr	Smolt	Adult	
Salmon (Truro)	NS	11	TOP19 iBoF32	2MB	43			Present	X		X	X	
North (Truro)	NS	12	TOP19 iBoF32	2MB	43			Absent					
Chiganois	NS	13	TOP19 iBoF32	2MB	43			Absent	X				
Bass	NS	18	TOP19 iBoF32	2MB	44			Absent					
Harrington	NS	21	TOP19 iBoF32	2MB	43/44			Absent					
Apple	NS	26	TOP19 iBoF32	2CB	24			Absent					
Maccan	NS	28	TOP19 iBoF32	2CB	24			Absent					
Petitcodiac	NB	32	TOP19 iBoF32	2CB	81	Present	Present		X			X	
Cornwallis	NS	3	iBoF32	2MB	41				X	X	X	X	
St. Croix	NS	7	iBoF32	2MB	42			Absent				X	
Kennetcook	NS	8	iBoF32	2MB	42			Absent					
Parrsboro	NS	23	iBoF32	2MB	44			Absent					
Dilligent	NS	24	iBoF32	2MB	44			Absent					
River Hebert	NS	27	iBoF32	2CB	24			Absent					
Tantramar	NB	29	iBoF32	2CB	81								
Demoiselle	NB	34	iBoF32	2CB	79			Absent					
Crooked Creek	NB	35	iBoF32	2CB	79			Absent					
Shepody	NB	36	iBoF32	2CB	79			Absent					
Irish	NB	44	iBoF32	3BoF	48			Present					
Mosher	NB	45	iBoF32	3BoF	48			Present					
Black	NB	49	iBoF32	3BoF	48			Present					
Memramcook	NB	31		2CB	81			Absent					
Weldon	NB	33		2CB	79								
Goose	NB	39		2CB	79								
Quiddy	NB	41		2CB	79			Absent					
Little Salmon	NB	42		3BoF	48			Absent					
Bains Bk.	NB	46		3BoF	48								
Gardner Creek	NB	47		3BoF	48			Absent					
Emerson	NB	48		3BoF	48			Absent					

River	Prov.	River Map No.	River Category[1]	Imp. Hab. Area[2]	FSD[3]	Assessment Data (2010-14)			LGB Releases (2010-14)				Smolt-to-1SW Return Rate
						Adults	Smolts	Juveniles[4]	Fry	Parr	Smolt	Adult	
Mispec	NB	50		3BoF	48			Present					
Pereaux	NS	1		2MB	41								
Habitant	NS	2		2MB	41								
Halfway	NS	5		2MB	42			Absent					
Avon	NS	6		2MB	42			Absent					
North	NS	20		2MB	43			Absent					
Moose	NS	22		2MB	44			Absent					
Ramshead	NS	25		2MB	44			Absent					
Carters	NB	30		2CB	81			Absent					
Goose Creek	NB	40		2CB	79								

[1] LGB5-rivers with LGB program, TOP10-rivers containing critical habitat, TOP19- rivers identified in the long-term recovery target, iBoF32-rivers identified as having historically supported self-sustaining populations (DFO 2008). Several other rivers receive support (i.e., salmon releases) from the LGB program however the LGB5 are the primary genetic contributors to those efforts.

[2] 2CB-rivers flow into Chignecto Bay and 2MB-rivers flow into Minas Basin of Important Habitat Area 2; 3BoF- rivers flow into Important Habitat Area 3 (Appendix 1a)

[3] Certain fishing licenses are assigned to a Fishing Statistical Districts. These are used to subdivide the existing provincial counties into smaller units, based on some geographic landmark mainly for reporting purposes (A. Gillis, pers. comm.)

[4] Based on broadscale electrofishing survey of iBoF rivers in 2014 (unpublished data).

Spatial and Temporal Distribution

The freshwater spatial distribution of remaining iBoF Salmon populations includes the 14 rivers receiving LGB support within the past five years (2010-2014) and the five non-LGB supported rivers with juvenile salmon present during the 2014 electrofishing survey (Table 1). In 2012, DFO reviewed and evaluated the available iBoF Salmon data to identify important marine and estuarine habitat needed to complete all life-history stages (DFO 2013). Based on several criteria, including the number of life-stages using the area and the area's importance to the life-history stage, the DFO (2013) identified the tidal portions of 19 iBoF Salmon rivers (Area 1), Minas Basin and Chignecto Bay (Area 2), and coastal Southwest Nova Scotia: Port George to Hall's Harbour (Area 8), as the highest priority areas. The Bay of Fundy New Brunswick coastal outflow (Area 3), Passamaquoddy Bay/Fundy Isles (Area 4), the middle of the Bay of Fundy (Area 5), and coastal Southwest Nova Scotia: Yarmouth to Port George (Area 7), were identified as the next highest priority areas. The Canadian portion of the Gulf of Maine (Grand Manan southward to latitude 43°46'51, Area 6) was considered to be data deficient (Appendix 1a). The entire Bay of Fundy outward to the northern Gulf of Maine, including estuaries of natal salmon rivers, are important habitat between May and October (at a minimum) (DFO 2013). The data available to determine habitat important for overwintering for all stages (November to April period) is limited, but overwintering is suggested to be off the Scotian Shelf or in the southern portion of the Gulf of Maine (Marshall 2014; Lacroix 2013).

Analysis and Response

New Information Regarding iBoF Atlantic Salmon in Existing Licensed Fisheries

Sources queried to evaluate the level of bycatch in commercial, recreational, and Aboriginal fisheries included: the DFO Maritimes Fisheries Information System (MARFIS) catch and effort database, which includes data from dockside monitoring programs; the Industry Surveys Database (ISDB), which houses the at-sea observer data; personal communications with DFO biologists responsible for pertinent species assessments; the Departmental Violation Records (DVR) for any salmon bycatch infraction reported by conservation officers in the iBoF area; Aboriginal Food, Social, and Ceremonial fisheries records; detailed recreational catch records for both Nova Scotia (NS) and New Brunswick (NB); the NB provincial Enforcement Patrol Creel survey records; as well as personal communications with resource managers responsible for each fishery of interest.

Given the limited number of salmon bycatch records, the licensed amount of freshwater, tidal, and marine fisheries gear within the iBoF is also summarized. The review was mostly restricted to the Minas Basin, Chignecto Bay, and Kings County (NS) area to better infer that the salmon under threat of being caught are of iBoF origin rather than salmon from other DUs that migrate within the Bay of Fundy (e.g., outer Bay of Fundy [oBoF] and Southern Upland [SU] DUs). In contrast, the review for possible salmon bycatch incidences in the fisheries data captured in MARFIS and the ISDB included the whole Bay of Fundy but results would need to be scrutinized as the origin of salmon cannot be definitely assigned to the iBoF DU.

Evaluating Bycatch in Commercial, Recreational, and Aboriginal Fisheries

Atlantic Salmon caught in the Bay of Fundy and, to an extent, the estuaries of iBoF may not be of iBoF origin. The DU of origin can only be determined through genetic analysis. Salmon incidentally caught in fisheries are not sampled and, as a result, their origin cannot be assigned.

Certain databases allow for bycatch records to be scrutinized for the whole Bay of Fundy area and include all species fished and gear type used whereas other queried sources need to be guided by smaller regions (e.g., Fisheries Statistical District [FSD], Recreational Fishing Areas [RFA], counties) and specific fisheries and/or gear type in order to assess the data. For the latter, the focus of bycatch evaluation was: 1) iBoF important habitat areas of the highest priority ranking (DFO 2013) and 2) those iBoF fisheries previously identified as an overall moderate to high risk (Loch et al. 2004; Amiro 2004; Table 2). Loch et al. (2004) reviewed all federally licensed fisheries occurring in the Bay of Fundy (approximately 100) and, excluding the medium to high risk fisheries (approximately 85), determined that the majority presented no or negligible risk to salmon and this is still likely applicable today. The Loch et al. (2004) risk rating is based on a combination of the gear's potential to:

1. catch/harm salmon important or critical to recovery or its habitat, and
2. the actual risk of the fisheries, fishing activity, or fishing gear poses to the survival or recovery of the stock.

To improve the likelihood of reporting salmon bycatch of iBoF origin, this report concentrated on Atlantic Salmon bycatch data present in the iBoF highest priority Important habitat Area 1, 2, and 8 (and/or corresponding FSD, RFA, or county) (Appendix 1) and the species fisheries and gear type outlined in Table 2. Important habitat Area 3 (second highest priority) was also surveyed as it includes the estuary of the Big Salmon River. Data from this area may also include bycatch from oBoF Salmon populations since Area 3 also encompasses some oBoF estuaries. This may confound the reporting of iBoF salmon bycatch in the area. The bycatch records found in the broader Bay of Fundy region were also reviewed since the salmon reported here could be of iBoF origin but also from other nearby DUs (e.g., oBoF) or aquaculture escapes.

Commercial Fisheries

In the reporting of commercial fisheries, bycatch is subdivided as: fisheries landings (bycatch retained for sale or use) and discards (bycatch that is not retained) (Gavaris et al. 2010). The management and control of several fisheries are dependent on data relayed by various monitoring programs. Fisheries and Oceans Canada (DFO) oversees and manages the program observer targets for each fishery and these are a requirement in the license conditions.

Landings information is provided to DFO by the Dockside Monitoring Program (DMP) observers, an independent third party. Commercial fishers are required to submit logbooks to the DMP with records of their activity and associated catches; however, discard catches are not typically recorded. Atlantic Salmon bycatch would be categorized as discards because it is illegal to land a salmon in any commercial fishery. This reduces the likelihood of reported bycatch data for iBoF Salmon.

The at-sea observer program provides on-board observation of fishing activity and adds to the scientific stock assessment catch data. Data from the at-sea observer program is maintained by Maritimes Region in the Industry Surveys Database (ISDB). The observer program allows for a more detailed collection of catch information including bycatch.

The iBoF Salmon important marine and estuarine habitat identified by DFO 2013 coincides with the Northwest Atlantic Fisheries Organization (NAFO) Divisions and subareas 4Xs and 4Xr (Appendix 1b). Data in the ISDB was queried for salmon bycatch even though observer coverage is primarily concentrated on the groundfish fisheries, especially Pollock and Haddock. No salmon bycatch was reported between 2004 and 2014 in trawl or purse seine fisheries. A review of other available data sources (e.g., freshwater logbooks, commercial landings

logbooks, SARA logbooks) in the DFO Maritimes Fisheries Information System (MARFIS) catch and effort database revealed few Atlantic Salmon bycatch records between 2004 and 2015. Only one of these records was within the iBoF region and was an interaction with Atlantic Salmon within the commercial Gaspereau fishery. Due to privacy regulations, detailed information about these catches is considered protected and may not be released (C. O'Neil, DFO Policy and Economics, pers.comm.).

Freshwater commercial fisheries are rarely or never monitored by observers; therefore, assessment biologists responsible for the 'unobserved' remaining 'high risk' fisheries (e.g., American Eel, Shad, Gaspereau, and Herring) were interviewed and all indicated that there were no records of reported salmon bycatch (R. Bradford, DFO Science, pers.comm.; H. Bowlby, DFO Science, pers.comm.; R. Singh, DFO Science, pers.comm.).

Recreational Fisheries

Until 1990, iBoF Atlantic Salmon were caught as bycatch on at least 24 rivers in non-salmon directed recreational fisheries and until 1997 on the Gaspereau River (Loch et al. 2004; Amiro et al. 2008; DFO 2010). Despite closures to recreational salmon angling in the iBoF region, iBoF Atlantic Salmon, although not directly targeted, are still susceptible to angling in non-salmon recreational angling fisheries (e.g., Brook Trout, Striped Bass, and Smallmouth Bass fisheries).

Data from several provincial and federal recreational fishing surveys were examined to look at the prevalence of Atlantic Salmon bycatch in iBoF waters. The DFO lead National Creel Survey (each province contributes data in five year intervals), Provincial Creel Surveys (annual), and Enforcement Patrol Creel Surveys (annual) were examined. Both the National and Provincial surveys do not directly inquire if Atlantic Salmon were incidentally caught while angling with a General license, the only license available for the iBoF areas under current recreational fishing closures. The absence of Atlantic Salmon bycatch information in these creel surveys, therefore, presents a source of uncertainty with respect to salmon bycatch prevalence in licensed recreational fisheries. Enforcement logs (i.e., provincial Enforcement Patrol Creel Survey and federal Departmental Violation System) were, therefore, reviewed since enforcement officers pointedly ask anglers about bycatch species when interviewing anglers (presented in 'Evaluating bycatch in Provincial and Federal enforcement records' section below).

Since 1985, the DFO Statistical Services section produces a Survey of Recreational Fishing in Canada at 5-year intervals (a.k.a. the aforementioned National Creel Survey) using provincial recreational fishing information. This National Creel Survey does not provide detailed information for specific regions such as the iBoF; therefore, data submitted by Nova Scotia and New Brunswick needed to be examined. In 2010, the New Brunswick Department of Natural Resources (NBDNR) and the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) contracted detailed provincial-specific reports based on the DFO National Creel Survey (Brilev Consulting Inc. 2012; NSDFA 2012). These provincial reports were found to be limiting when referring to and interpreting results for the iBoF region. The NBDNR delineates the iBoF as a specific Recreational Fishing Area (RFA). The NSDFA's RFAs are delineated by county and the iBoF rivers span across several counties and the counties may include rivers with other salmon DUs (e.g., Cumberland County includes rivers from the iBoF and Gaspé-Southern Gulf of St. Lawrence DUs) (Appendix 2). The creel survey questions have varied over the years to become briefer and generalized in an effort to improve participation and to be applicable across Canada. Beginning in 2010, specific geographic information (i.e., river fished) and salmon life stage (e.g., black salmon) were not included. To address the reduction of specific information collected in the National Creel Survey, the provincial reports presented estimates for various data categories (e.g., days fished, fish caught, fish kept) with an associated reliability estimate

(i.e., coefficient of variation [CV] about the mean as a proxy for assessing the variability of the data). The report notes that data with a CV of less than 16.5% could be used without condition but data with a higher CV should be: used with caution (16.5%-33.5%), extreme caution (33.5%-66.5%), or unreliable (>66.5%) (Brilev Consulting Inc. 2012). The author warned that the regional level data should not be used for decision making or data reporting based on high CV estimates due to the likelihood of misinterpretation of survey questions and/or fish species misidentification (K. Brickley, Brilev Consulting Inc., pers.comm.). As an example, NB anglers participating in the 2010 survey, retaining Atlantic Salmon licenses, interpreted location fished based on the provincial fishing area designations (i.e., RFAs in NB or counties in NS) which produced dubious weighted estimates of salmon caught (n = 1,461) and retained (n = 331). These estimates are brought into question since the iBoF RFA has been closed to salmon fishing since 1990. Similar results were reported in NS where Atlantic Salmon anglers reported fishing, catching, and retaining salmon in several counties encompassing the iBoF; Colchester County (n = 508 caught, 6 retained), Cumberland County (n = 694 caught, 15 retained), Kings County (n = 52 caught, 0 retained), and Hants County (n = 0 caught, 0 retained). However, Colchester and Cumberland counties include both iBoF and Gulf of Nova Scotia rivers (recreational salmon angling is allowed); therefore, weighted estimates of days fished, numbers caught, and numbers retained could be plausible. The other two counties (Kings and Hants) are areas closed to salmon fishing. IBoF Salmon restoration efforts occur in these areas (i.e., salmon adult and juvenile stocking) resulting in the presence of various life stages of salmon in the recipient rivers. Even though the survey data from these two counties does not identify the salmon life stage caught, nor were there records of salmon retention, the presence of salmon in these areas renders the bycatch of salmon from other recreational fisheries plausible.

Angler participation in the Provincial creel surveys (attached to each General fishing license sold in the both NB and NS) is poor and salmon bycatch reporting is not part of the survey. Salmon bycatch information is very rarely or never reported as it is common knowledge that salmon bycatch and retention is illegal in the iBoF region (C. Connell, NBDNR, pers.comm.; J. Leblanc, NSDFA, pers.comm.).

Aboriginal Fisheries

The Aboriginal fisheries for food, social, and ceremonial (FSC) reasons are negotiated individually with each First Nation Community in the DFO's Maritimes Region. The licenses are generally multispecies, renewed annually, geographic location is broad or unrestricted, and the seasons are open year round. Bycatch data collection and submission is not a condition of licenses; therefore, the possible impact of FSC fisheries on Atlantic Salmon in the iBoF area cannot be determined. Aboriginal access to specific fisheries that present a moderate to high risk of Atlantic Salmon incidental catch are presented in Table 2 (DFO Aboriginal Fisheries Management, unpublished data).

Evaluating Bycatch in Provincial and Federal Enforcement Records

The Provincial and Federal government enforcement records were also surveyed as another possible source of Atlantic Salmon bycatch records.

DFO's Conservation and Protection officers maintain infraction records within a Departmental Violation System (DVS) describing investigated incidences of illegal fisheries or unreported incidental catches. The system was queried for any records of Atlantic Salmon bycatch in the iBoF rivers and estuaries. Conservation officers did not report any salmon bycatch activity in iBoF rivers or estuaries in the past 10 years (P. General, Conservation and Protection, pers. comm.).

As both the Provincial and National Recreational Creel Surveys could not reliably attest to salmon bycatch prevalence in the iBoF waters, the Provincial Enforcement Patrol Creel Survey records were canvased (a.k.a. Blue Card Survey). The NSDFA did not report any records of Salmon bycatch in iBoF rivers. NBDNR provided records from 2007 to 2013.The NB enforcement officers interview anglers during patrols although these are: on a voluntary basis with a recent requested quota of 30 cards/officer/year, are geographically and temporally variable (i.e., each river is not consistently surveyed each year), and report details are variable among officers. Of the 425 Blue Cards submitted from the rivers of the NB iBoF region, only one incident of Atlantic Salmon bycatch in the NB iBoF region (Black River) was identified and indicates that five salmon parr where incidentally caught and subsequently released while fly fishing for Brook Trout.

Summary

Upon review of available information, it became evident that data on bycatch of Atlantic Salmon in the iBoF region is lacking. Assigning an accurate and quantifiable level of iBoF Atlantic Salmon bycatch mortality or harm in either commercial, recreational, or Aboriginal fisheries is not possible without the empirical data. To quantify the level of bycatch, mandatory recording and submission of bycatch information for this SARA listed species is recommended:

- to be included as a condition of license,
- to be included in the independent commercial landings data capture and entry (e.g., salmon is not an identified species in the SARA logbooks filled by Dockside Monitoring programs),
- that fishers are assured that they will not be prosecuted or penalized (e.g., license revocation) for reporting salmon bycatch,
- that participants in the Aboriginal FSC fisheries report salmon bycatch,
- that the National/Provincial recreational fisheries creel surveys include more precise fishing locations as well as salmon bycatch, and/or
- that fisheries are increasingly subjected to observer coverage in the fisheries that present a medium to high risk of intercepting salmon.

Impact of Bycatch in Licensed Fisheries on Survival and Recovery of iBoF Salmon

Presently, the lack of available and/or reliable salmon bycatch data in recreational, commercial, and Aboriginal fisheries presents great uncertainty in determining the actual level of impact of fisheries on the iBoF salmon population. For example, the efficiency and selectivity of gillnets are affected by restrictions on net length, depth, mesh size, hang ratio, and twine type (Wilson and Andrew 1987). The current gillnet license conditions only stipulate mesh size range restrictions and setting nets in a straight line. The actual descriptions of aforementioned gillnet criteria for each fishery was not available. This does not allow for a true evaluation of the efficiency at capturing, wedging, or entangling salmon in the gillnet fisheries.

Accuracy of Conclusions Drawn in the Recovery Potential Assessment for iBoF Salmon

A review in 2004 of all licensed fisheries (approximately 100) in the Bay of Fundy that could be impacting iBoF salmon populations through incidental catch identified 4 marine fisheries (gaspereau, shad, herring and mackerel gill net fisheries) that had both a high potential to

capture salmon and a low potential for mitigation. In 2008, a Recovery Potential Assessment for iBoF Atlantic Salmon (DFO 2008) identified another 6 marine fisheries (eel fyke net and weir, smolt gill net, gaspereau trap net) deemed to have a moderate to high potential for incidental effects, but suggested a variety of measures that could be implemented to minimize the risk of incidental catch and mortality of salmon.

Potential Extent of Medium to High Risk Licensed Fisheries

The 2004 and 2008 conclusions were re-evaluated using the information found in Table 2 and applying the methodology developed in the most recent RPA for oBoF Salmon (Clarke et al. 2014). As bycatch information is not readily available, the potential 'intensity' of fisheries with highest likelihood or risk of intercepting and/or harming iBoF Atlantic Salmon was evaluated to determine the Extent of the fisheries used in the Level of Concern qualitative analysis described below. Again, this review was focused solely on fisheries within the iBoF Important Habitat Areas of highest priority (Area 1, 2, and 8 or corresponding FSD, RFA, or county as well as Area 3) to better report on the potential of iBoF salmon being intercepted. Updated potential gear amount is presented in Table 2 focusing on those activities previously assigned a moderate or high level of potential risk (Loch et al. 2004; Amiro 2004) applied to all three levels of licensed fisheries (i.e., commercial, recreational, and Aboriginal) by target species and gear type.

Although, the Herring purse seine fishery has been mentioned as a potential source of salmon bycatch, specifically post-smolts (Lacroix and Knox 2005), it was not considered a high risk fishery by Loch et al. (2004) since the fishery is uncommon in Minas Basin and Chignecto Bay. The Herring purse seine fishery effort was, therefore, omitted from this fishing effort review based on the low or 'unquantifiable' (i.e., fishing area outlined in licenses encompasses Bay of Fundy to whole Atlantic coast of NS) effort in the Minas Basin and Chignecto Bay as well as the origin of the salmon caught in other areas of the Bay of Fundy cannot be assumed to be from the iBoF DU.

Information provided in Table 2 coincides with the latest information available and is concentrated in the Chignecto Bay, Minas Basin, and Bay of Fundy. Since the current number of active licenses was not available (only available through reporting landings, which is privacy protected information), the number of licenses presented represents the potential number of licenses renewed or available for renewal in 2015. The majority of the specific geographic locations associated with each gear type are either not captured, not available, or cannot be presented as it would be in violation of the Privacy Act. As such, direct fishing pressure cannot be specifically determined for each important iBoF river and its estuary.

Potential Risk of Bycatch in Licensed Fisheries

Since a review of all available Provincial and Federal fisheries bycatch data indicated that there were either no recorded reports, minimal occurrences, or unreliable estimates of Atlantic Salmon bycatch, a quantitative risk assessment of the level of bycatch in licensed fisheries is not possible. A qualitative risk asesssment was, therefore, conducted. The objective of this qualitative risk assessment was to assign a Level of Concern and highlight which fisheries pose the greatest potential for iBoF Salmon bycatch in the highest important iBoF salmon habitat areas in this review. The assessment included the updated fisheries information in Table 2, the updated highest important iBoF Salmon habitat (with a high likelihood of LGB salmon present), including Area 3 (Marshall 2014; DFO 2013; Lacroix 2013), and the medium-to-high risk fisheries recurrently identified (Amiro 2004; Loch et al. 2004). Four areas were considered: Important Area 2 Chignecto Bay (2CB), Area 2 Minas Basin (2MB), Area 3 (only Fisheries statistical district [FSD] 48) and Area 8 (FSD 40) (Appendix 1a and 1c; DFO 2013). The amount

of fishing gear in Area 1 (tidal area of 19 rivers), one of the highest iBoF important habitat area, is encompassed within either the Area 2CB or 2MB values depending on the location of the rivers.

Important Area 2CB includes two of the LGB5 rivers, Upper Salmon and Point Wolf rivers. It also includes the Petitcodiac River where restoration efforts, following the causeway gate opening, have been extensive since 2010. Important Area 2MB includes two more LGB5 rivers, the Gaspereau and Stewiacke rivers and it also contains the majority of the remaining Top10 and Top19 rivers (Table 1; Appendix 3). The final LGB5 river, Big Salmon River, is within Important Area 3 (or FSD 48). Though it is not considered within the highest priority important habitat areas (DFO 2013), the fishing licenses within FSD 48 were assessed for proximity to the Big Salmon River estuary. Fisheries within FSD 48 were generally not site or area specific and included most of the Bay of Fundy coastal area of NB including FSDs 49, 52, and 53 (Appendix 1a, 1c, and Appendix 3). All licenses from each high risk fishery within the FSDs of interest were assigned to and tallied for each important habitat area to evaluate the potential extent of each fishery.

Gear type and restrictions are set to optimize the likelihood of capturing targeted species. Gear type and mesh of certain sizes may also trap salmon at various life stages. The likelihood of the salmon surviving is determined by the life stage captured and the gear-type of capture. For example, salmon caught in gillnets typically cannot be removed alive while salmon caught in either a weir or trapnet can be released alive. However, post-release mortality, resultant from injury from conditions within the weir trap, is of consideration. Gillnet fisheries are managed through mesh restrictions for the selected species although non-targeted species can get gilled, wedged, or tangled depending on: its body morphology (e.g., rough-bodied, spines), the gillnet hanging ratio (e.g., low hanging ratio tends to tangle rather than gill), and twine type (e.g., multifilament is less rigid so there is less chance to escape) (Wilson and Pierce 1984; Clay 1981; Potter and Pawson 1991; Wilson and Andrew 1987). Various studies assessed the efficiency of various gillnet mesh sizes at gilling, entangling, or wedging salmon. Gillnets with mesh sizes of 90 to 130mm are efficient at catching (i.e., gilling) adult salmon (Loch et al. 2004), although the smaller meshes could entangle or wedge a wide size range of salmon. Atlantic Salmon pelagic gillnet surveys in the U.S. found that the majority of Atlantic Salmon post-smolts were caught in 64 mm, 76 mm, and 89 mm mesh while adult salmon were caught in the 102 mm, 114 mm, and 127 mm (Sheehan et al. 2012; Dempson et al. 2001) noted that 1SW salmon, are highly selected in 114 mm mesh.

The gillnet fisheries assessed here have a wide variety of mesh sizes depending on the species of interest. However, mesh sizes are described in the fisheries restriction as a 'less than' or 'greater than' x millimeters, and the exact mesh size for each fishery is not known. Each commercial gillnet fishery evaluated, except the Smelt (smaller mesh size) and Mackerel (no information available) gillnet fishery, was assessed as either a high or extreme level of concern since they were found throughout the Important Area 2 (CB and MB) at potentially varying degrees of intensity. As adult salmon are of primary concern, the Shad and Groundfish gillnet fisheries, which utilize large mesh, would be very efficient at catching returning salmon or kelts and are potentially active throughout the Chignecto Bay and Minas Basin. In the Labrador gillnet fisheries, the gillnet mesh size was restricted to less than 114mm to reduce the bycatch of large salmon (DFO and MRNF 2009) but since iBoF Salmon generally mature as small salmon, gillnets greater than 90mm were considered likely to catch iBoF Salmon adults or kelts (Loch et al. 2004).

The qualitative risk assessment associated with each outlined fishery was evaluated by considering:

1. selectivity/efficiency of the gear (e.g., gear type, mesh size),
2. salmon life stage affected,
3. level of harm (e.g., likelihood of live release or mortality), and
4. availability of the gear (i.e., gear distribution, fishing season) (Table 2).

The overall ranking of the risk was adapted from the approach developed by Clarke et al. (2014) where the information available for selectivity/efficiency and level of harm was assigned a severity rating and availability was assigned a level of extent rating (Appendix 4). The overall level of concern was then assigned from the resulting level defined in the Extent and Severity matrix table described in Appendix 4.

Table 2. An updated summary of potential gear associated with the licensed fisheries assessed as moderate to high potential risk of incidentally affecting iBoF Atlantic Salmon in the Bay of Fundy (adapted from Loch et al. 2004) as well as a qualitative risk assessment to highlight the areas of concern where iBoF Atlantic Salmon could be incidentally caught throughout the DU. Severity, extent, and overall level of concern ratings are described in Appendix 4. The potential amount of gear is used as secondary information in the evaluation of the level of concern for each fishery. (lics = licenses, UNK = Unknown, FSC = Food, Social, and Ceremonial, fth = fathoms, N/A = not applicable).

Species	Gear	Salmon life stage impacted	Fisheries	Gear Restrictions[1]	Open Season[1]	Potential amount of gear in[2]				Evaluation of Potential impact			Comment
						2CB[3]	2MB[3]	Area 8[3]	FSD48[4]	Severity	Extent	Level of Concern	
Trout sp.	Angling	Adult , kelts, smolts, and parr. Live release possible but injury feasible	**Recreational**[5,8]	Inland (NS)- includes: e.g., < 2 hooks/fly (see fishing guide book for complete list). Inland (NB): includes: e.g., < 2 hooks/fly (see fishing guide book for complete list). Tidal: angling only	(NS) Apr 1 - Sept 30 (NB) Apr 15 – Sept 15	(NB) 44,718 total days in rivers	(NS) 124,591 total days fished in rivers and lakes	(NS) 21,001 total days fished in rivers and lakes	Same as 2CB	M	VH	Medium	Concern possibly lower in freshwater as restrictions do not apply in tidal waters.
			Commercial	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year	FSC- 4 First Nation Communities Commercial: N/A				M	UNK	Unknown	
Striped Bass[6]	Angling	Adult, kelts, smolts, and parr. Live release possible but injury feasible	**Recreational**[5,7,8]	Inland (NS)- includes: e.g., < 2 hooks/fly (see fishing guide book for complete list). Inland (NB): includes: e.g., < 2 hooks/fly (see fishing guide book for complete list). Tidal: angling or bownet only	Inland NS: Apr 15- Sept 30 Inland NB: May 1- Sept 15 Tidal: All year	(NB) 1,003 total days in rivers	(NS) 38,232 total days fished in rivers and lakes	(NS) 11,158 total days fished in rivers and lakes	Same as 2CB	M	VH	Medium	Concern more applicable to tidal waters as restrictions do not apply
			Commercial	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year	FSC- 3 First Nation Communities Commercial: N/A				M	UNK	Unknown	
Shad	Gillnet (set/drift)	Adults and kelts but live release NOT probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Mesh size: >127mm	Set: Variable by county/region e.g., Shepody Bay: May 1- Aug 15 Drift: Variable by county/region e.g., in tidal water Shubenacadie/Stewiacke: Apr 1- June 15	Set: 8 nets, 2,260 fth Drift:13 nets, 4,400 fth	Set:25 nets, 3,160 fth Drift:16 nets, 2,105 fth	Set/Drift: N/A	Set: 1 net, 180 fth Drift: N/A	E	VH	High	Seasons varied to reduce the possibility of intercepting salmon
			Aboriginal (FSC[6]/ Commercial)	Unknown	2 FSC: all year, 2 FSC: May-Jun/Jun-Jul with weekend closures	FSC- 4 First Nation Communities Commercial: N/A				E	UNK	Unknown	
Gasperea u	Gillnet (set/drift)	Post-smolts, and smolts but live	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Mesh size: < 89mm	Set: Variable by county/region usually Mar 15- May 31 or Mar 15- Jul 10	Set: 7 nets, 870 fth	Set: 26 nets, 2,710 fth	Set/Drift: N/A	N/A	H	VH	High	

Species	Gear	Salmon life stage impacted	Fisheries	Gear Restrictions[1]	Open Season[1]	Potential amount of gear in[2]				Evaluation of Potential impact			Comment
						2CB[3]	2MB[3]	Area 8[3]	FSD48[4]	Severity	Extent	Level of Concern	
		release NOT probable.			Drift: Variable by county/region usually Mar 15- May 31 or Mar 15- Jul 10	Drift: N/A	Drift: 23 nets, 1,805 fth						
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year or May/June	FSC- 3 First Nation Communities Commercial: 1 lic (2 weirs)				H	UNK	Unknown	
	Trap net	Adults, kelts, post-smolts, and smolts but live release probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Unknown	Variable by county/region usually Mar 15- May 31 or Mar 15- Jul 10	4 traps	N/A	N/A	N/A	M	VH	Medium	
			Aboriginal (FSC[6]/ Commercial)	N/A	N/A	N/A				N/A	N/A	N/A	
	Square net	Adults, kelts, and smolts but live release probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	<3.65m^2 and extends < 1/3 width of river and outside wall <9m	Mar 15- May 31	N/A	15 nets	N/A	N/A	M	VH	Medium	Found in Gaspereau R. (LGB5) only
			Aboriginal (FSC[6]/ Commercial)	N/A	N/A	N/A				N/A	N/A	N/A	
Herring	Gillnet (set/drift)	Post-smolts but live release NOT probable.	**Recreational**	Mesh size: < 83mm Other: No use of monofilament between May 1- Jul 15	All year	Set: 6 lics, 180 fth	Set: 63 lics, 1,890 fth	Set: 4 lics, 120 fth	N/A	H	UNK	Unknown	
			Commercial[9]	Mesh size: < 83mm Other: No use of monofilament between May 1- Jul 15	All year *typically fished: July-October/November	Set: 72 nets, 10,260 fth Drift: 12 nets, 4,140 fth	Set: 468 nets, 46,381 fth Drift: 6 nets, 540 fth	Set: 78 nets, 19,080 fth Drift: N/A	Set: 12 nets, 900 fth Drift: 6 nets, 540 fth	H	VH	High	Restrictions on the use of monofilament improves net avoidance by migrating salmon
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year	FSC- 3 First Nation Communities Commercial: Set: 7 lics, 3,020 fth Drift: 1 lics, 90 fth				H	UNK	Unknown	
	Weir/Trap net	Adults, kelts, and post-smolts but live release probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Unknown	Open all year *typically fished: June-October	N/A	8 lics	1 lics	N/A	M	VH	Medium	
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year	FSC- 1 First Nation Community Commercial: N/A				M	UNK	Unknown	
Mackerel	Gillnet (set/drift)	Post-smolts but live release NOT probable	**Recreational**	Mesh size:< 83mm No use of monofilament between May 1- July 15	All year	N/A	1 lic, 30 fth	N/A	N/A	H	UNK	Unknown	
			Commercial[9]	Mesh size:< 83mm No use of monofilament between May 1-	All year	Gillnet licenses are designated in the license condition and are valid for all Maritimes region waters.				H	UNK	Unknown	Mandatory restriction on use of monofilame

Species	Gear	Salmon life stage impacted	Fisheries	Gear Restrictions[1]	Open Season[1]	Potential amount of gear in[2]				Evaluation of Potential impact			Comment
						2CB[3]	2MB[3]	Area 8[3]	FSD48[4]	Severity	Extent	Level of Concern	
				July 15									nt to reduce bycatch. Alternate gear more visible, should improve avoidance by migration salmon
			Aboriginal (FSC[5]/ Commercial)	Unknown	All year	FSC- 4 First Nation Communities Commercial: Set: 9 lic., 3,840 fth				H	UNK	Unknown	
	Weir/Trap net	Adults, kelts, and post-smolts, live release probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Unknown	Unknown	N/A	N/A	1 lics	N/A	M	VH	Medium	
			Aboriginal (FSC[5]/ Commercial)	N/A	N/A	N/A				N/A	N/A	N/A	
Smelt	Gillnet (set/drift)	Post-smolt, live release NOT probable.	**Recreational**	Mesh size: >31mm	Inland NS/NB: closed Tidal NS/NB: Oct 16-Feb 28	Set: 2 lic., 40 fth	Set: 2 lic., 130 fth	N/A	N/A	H	L	Low	
			Commercial[9]	Mesh size: >31mm	Inland NS/NB: closed Tidal NS/NB: Oct 16-Feb 28	Set: 3 lics, 130 fth Drift: N/A	Set: 6 lics, 440 fth Drift:1 lics, 50 fth	Set/Drift: N/A	N/A	H	L	Low	
			Aboriginal (FSC[5]/ Commercial)	Unknown	All year	FSC- 3 First Nation Communities Commercial: N/A			N/A	H	UNK	Unknown	
Groundfish[10] (unspecified, Cod, Flounder (unsp.), Haddock, Halibut (unsp.), and Pollock	Gillnet (set)	Adults and kelts, live release NOT probable	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial	Mesh size: >140mm The floats of the net > than 5 m below the surface	All year *typically occurs between April- September	3 lics, 3,150 fth	11 lics, 11,450 fth	N/A	N/A	E	VH	High	Gillnets are set >5m below surface to reduce chance of intercepting migrating salmon
			Aboriginal (FSC[5]/ Commercial)	Unknown	All year	FSC- 1 First Nation Communities x 5 species Commercial: 4 lics, 4,800 fth				E	UNK	Unknown	
	Weir/ Trap net	Adults, kelts, and post-smolts, live release probable.	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial	Unknown	Open all year *typically occurs between April- September	N/A	3 lics	N/A	N/A	M	VH	Medium	
			Aboriginal (FSC[5]/ Commercial)	N/A	N/A	N/A				N/A	N/A	N/A	
Eel	Trap net	Adults, kelts, smolts, and post-smolts, live release probable	**Recreational**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Commercial[9]	Unknown	Inland NS: Aug 15-Oct 31 Inland NB: closed Tidal NS/NB: all year *typically May/June to October	N/A	165 lics[11]	44 lics	N/A	M	VH	Medium	Number of trapnets within MB unclear.
			Aboriginal	Unknown	All year	FSC- 1 First Nation Communities				M	UNK	Unknown	

Species	Gear	Salmon life stage impacted	Fisheries (FSC[5]/ Commercial)	Gear Restrictions[1]	Open Season[1]	Potential amount of gear in[2]				Evaluation of Potential impact			Comment
						2CB[3]	2MB[3]	Area 8[3]	FSD48[4]	Severity	Extent	Level of Concern	
	Weir	Adults, kelts, smolts, and post-smolts, live release probable	Recreational	N/A	N/A	Commercial: N/A							
			Commercial[9]	Unknown	Inland NS: Aug 15-Oct 31 Inland NB: closed Tidal NS/NB: all year	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
			Aboriginal (FSC[6]/ Commercial)	Unknown	All year	N/A	1 lic (2 weirs)	N/A	N/A	M	VH	Medium	
						FSC- 1 First Nation Communities Commercial: 1 lic, 2 weirs				M	UNK	Unknown	

[1] Season and license restrictions as defined in the Maritime Fisheries regulations and Integrated Fisheries Management Plan.
[2] Source of information from DFO Licensing (report#: LS4008A – Lic Gear Summary by Prov by Dist.imr.). Data represents current licenses that have been renewed in 2015 or are eligible for renewal following 2014 renewal. Aboriginal Commercial license do not require annual renewal. The number of licenses represents potential fishing effort as not every issued license is actively fished yearly.
[3] Area 2CB defined by Fisheries Statistical District (FSD) 79, 81, and 24. Area 2MB by FSD 44, 43, 42, and 41. Area 8 by FSD 40. (Appendix 1c)
[4] FSD 48 is a portion of important Area 3 which encompasses the Big Salmon River, an LGB5/Top10/Top19 river (Appendix 1c). The only gear tallied for this region is specific to the license location either not defined or defined as Saint John County which is located east of the Saint John River, and encompasses the iBoF rivers only. Several licenses are located in the Saint John River and its estuary. These were omitted from the tally as it is in the OBoF DU.
[5] Recreational angling information from Brilev (2012) and NSDFA (2012) based on 2010 National Creel Survey data.
[6] The Native Council of Nova Scotia (NCNS) licenses are not included. The NCNS licenses differ from the other FSC licenses due to its provincial scope. Gear resulting in higher yields are approved by DFO prior to use however unlike other licenses, the gear employed for each species is not identified but rather a general clause noting all permissible methods overall for all species is included within the license. It is not possible to associate what gear is used for which species via the FSC license. Landings are reported by county and record amount harvested and species type (P. General, DFO Aboriginal Fisheries Management, pers.comm.).
[7] Striped Bass fishery not identified in last review. Added to reflect interest in fishery especially in the Shubenacadie/Stewiacke rivers.
[8] Inner Bay of Fundy Recreational Fishing Management (NB), four counties in the NS Recreational Fishing Management Area (Cumberland, Colchester, Hants, and Kings). NOTE: The NS results may include fisheries from the Gulf of Nova Scotia side as the county borders both coasts.
[9] Maritime Fisheries Statistical Districts: 24, 35,39,40-44,48,79, and 81 (east of the Saint John River to Annapolis River)
[10] Areas of interest include: NAFO Division 4Xs, 4Xr, and 5Yb (Groundfish)
[11] License designated for greater part of coastal BoF NB from Magaguadavic River to Petitcodiac River. Unknown number of trapnets earmarked specifically for Petitcodiac.

Summary of RPA Results and Current Analysis

The Gaspereau, Shad, eel fyke nets and weirs, as well as the Gaspereau trap net fisheries continue to be identified as having a high or moderate to high likelihood of risk to harming iBoF Atlantic Salmon. However, unlike DFO (2008), which identified Mackerel, and Smelt gillnet fisheries as having a high risk, this qualitative risk assessment assigned the Smelt gillnet fisheries a low level of concern while the level of concern of Mackerel fisheries could not be determined as the information was not available.

While several activities within commercial, recreational, and Aboriginal fisheries were assessed as having no or low impact on iBoF Salmon by Loch et al. (2004), the medium-to-high risk activities with a high probability of harming or killing adult salmon returning to natal rivers should be closely monitored and managed and also be required to report salmon bycatch.

Conclusions

Upon review of available information, it became evident that data on bycatch of Atlantic Salmon in the iBoF region is lacking. Assigning an accurate and quantifiable level of iBoF Atlantic Salmon bycatch mortality or harm in either commercial, recreational, or Aboriginal fisheries is impossible without the empirical data. In order to quantify the level of bycatch, the mandatory recording and submission of bycatch information for this SARA listed species is recommended:

- to be included as a condition of license,
- to be included in the independent commercial landings data capture and entry (e.g., salmon is not an identified species in the SARA logbooks filled by Dockside Monitoring programs),
- that fishers are assured that they will not be prosecuted or penalized (e.g., license revocation) for reporting salmon bycatch,
- that participants in the Aboriginal FSC fisheries report salmon bycatch,
- that the National/Provincial recreational fisheries creel surveys include more precise fishing locations as well as salmon bycatch, and/or
- that fisheries are increasingly subjected to observer coverage in the fisheries that present a medium to high risk of intercepting salmon.

Pending changes to the monitoring and reporting of salmon bycatch in the licensed fisheries, a qualitative risk assessment evaluating the intensity of fisheries with potential risk of intercepting and/or harming Atlantic Salmon was updated and concentrated primarily on the fisheries of concern highlighted in Loch et al. (2004) and Amiro (2004). It is a general consensus among species biologists and resource managers that the fishing effort in the Bay of Fundy has decreased in the last decade; therefore, a new thorough risk assessment of each fishery should be undertaken.

Presently, the lack of available and/or reliable salmon bycatch data in recreational, commercial, and Aboriginal fisheries presents great uncertainty in determining the actual level of impact of fisheries on the iBoF salmon population.

Gibson et al. (2008) concluded that there was scope for low levels of human-induced mortality that would not jeopardize survival or recovery of iBoF Salmon under current conditions (i.e., when LGB is operating, even at very low levels of at-sea survival). If current conditions change such that marine survival increases (e.g., marine mortality reduced to 94% or less), recovery targets and human-induced mortality would need to be reassessed as any loss of salmon, including bycatch, could affect recovery (Gibson et al. 2008). Current iBoF Salmon

adult abundance, juvenile salmon densities and presence/absence in 'non-LGB' supported rivers and smolt-to-adult return rates (for Big Salmon River only) all indicate that marine survival has not improved and, therefore, low-levels of human-induced mortality will not likely impact the survival or recovery of iBoF salmon under current conditions.

Although at-sea survival has not improved to a rate where low-levels of human-induced harm could affect recovery, the low/undetected juvenile densities in rivers not supported by the LGB program, coupled with the uncertainty associated with level of bycatch, reaffirms that precautionary management approaches are advised. While several activities within commercial, recreational, and Aboriginal fisheries were assessed to have no or low impact on iBoF Salmon by Loch et al (2004), the medium-to-high risk activities with a high probability of harming or killing adult salmon returning to natal rivers should be closely monitored and managed and be required to report salmon bycatch.

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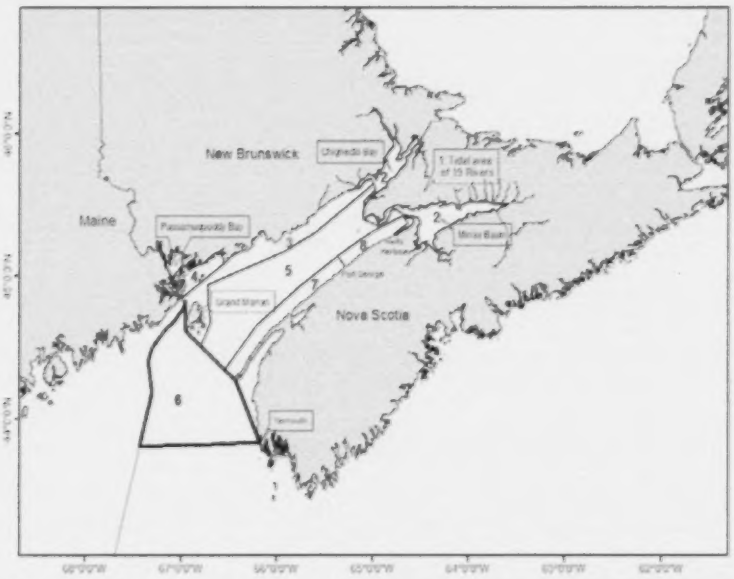
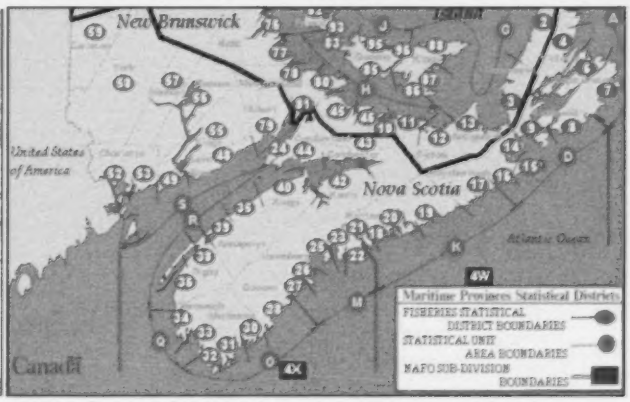
Appendices

Appendix 1.

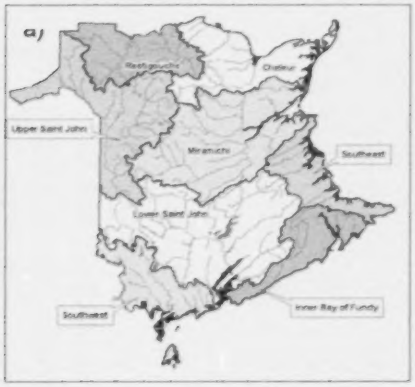
(a) As per DFO (2013), areas identified within the important habitat bounding box for iBoF Atlantic Salmon: Area 1 - tidal portions of 19 iBoF Salmon rivers, Area 2 - Minas Basin and Chignecto Bay, Area 3 - Bay of Fundy New Brunswick coastal outflow, Area 4 - Passamaquoddy Bay/Fundy Isles, Area 5 - middle of the BoF, Area 6 - northern Gulf of Maine, Area 7 - coastal southwest Nova Scotia: Yarmouth to Port George, and Area 8 - coastal southwest Nova Scotia: Port George to Hall's Harbour; (b) The NAFO Divisions and unit areas used in Fisheries Management; and (c) DFO Maritime Statistical Districts although district 41 is not visible, it is defined as 'the portion of Kings east of Cape Split to the Hants County line (southern portion of Minas Basin).





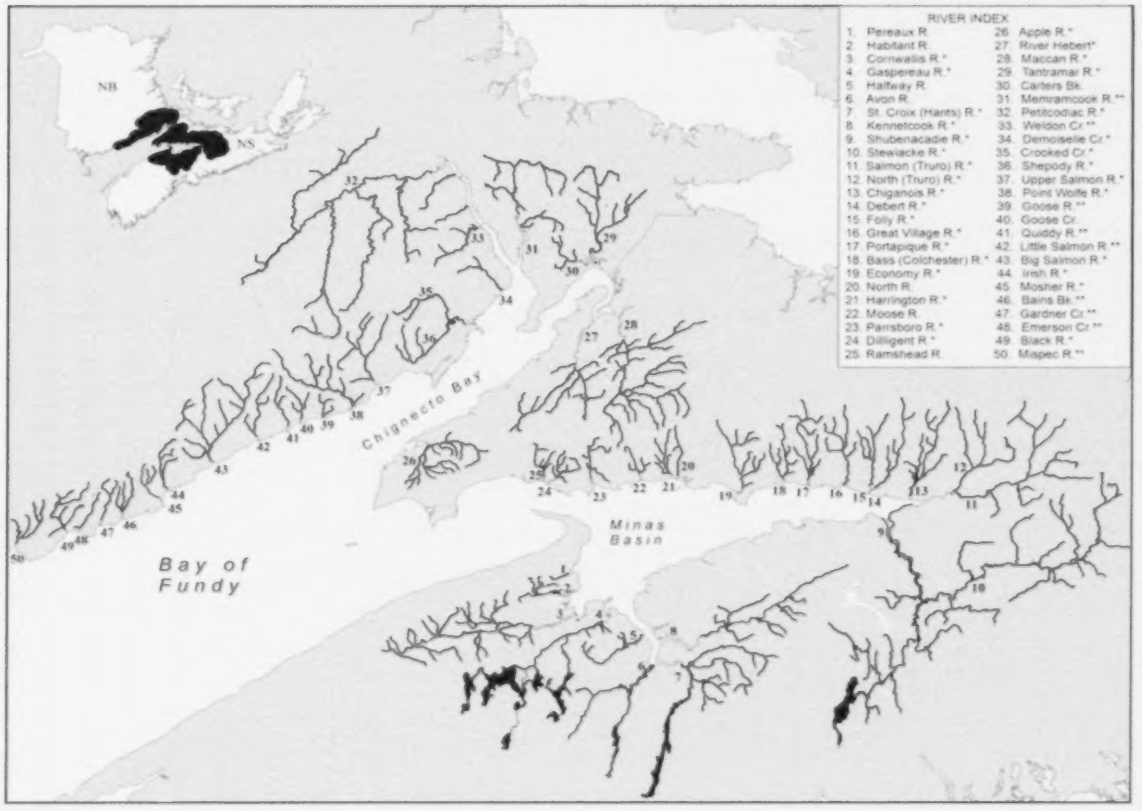
Appendix 2.

Maps associated with the National Creel Survey provided to anglers in either NB or NS for reference on angling location, a) New Brunswick Recreational Fishing Area, iBoF outlined in bottom-right corner, and b) fishing areas in Nova Scotia delineated by counties, iBoF rivers found in Cumberland, Colchester, Hants, and Kings counties.



Appendix 3.

Inner Bay of Fundy rivers. The rivers marked with an (*) supported self-sustaining Atlantic Salmon populations as suggested by recreational catch and historical electrofishing data. The (**) identified rivers are reported to have produced salmon.



Appendix 4.

Methodology for assessing Level of Concern: The level of risk signifies the concern that iBoF Atlantic Salmon would be incidentally caught or harmed by the fishery. Using the information available for each fishery found in Table 2, the level of severity and level of extent is assessed using the following tables and matrix. Once both levels have been assigned, the results are entered into the matrix (Table A3.3) to define an overall Level of Concern.

Table A4.1 - Description of how severity was assigned to each fishery.

Category	Description
Negligible (N)	• The gear is unlikely to trap a salmon; live release is probable • None or only smolt life stage are likely affected
Low (L)	• The gear is likely to trap a salmon; live release is probable • Only smolt and/or post-smolt life stages are likely affected
Medium (M)	• The gear is likely to trap a salmon; live release is probable • Adult and kelt life stages are likely affected
High (H)	• The gear is likely to trap a salmon; live salmon release NOT probable • Smolt and/or post-smolt are likely affected
Extreme (E)	• The gear is likely to trap a salmon[1]; live salmon release NOT probable • Adult and kelt life stages are likely affected

[1] Loch et al. 2004 indicated that gillnets greater than 90mm were most likely to catch iBoF salmon.

Table A4.2 - Description of the spatial extent of the threat.

Category	Description
Low (L)	• In 'Unsupported'[1] rivers or Important Marine Area not defined as highest priority. • Fisheries season does not overlap with salmon presence at location.
Medium (M)	• Gear potentially present in the vicinity of one or more of the remaining Top19 rivers (excludes the Top10 included in Top19) or licenses not defined by exact river but in Statistical District/Area 2 (CB and MB) 'housing' Top19 rivers. • Fisheries season overlaps with salmon presence at location.
High (H)	• Gear present in one or more of the remaining Top10 rivers (excludes the LGB5 included in TOP10) or licenses not defined by exact river but in FSD/ Area 2 (CB and MB) 'housing' Top10 rivers. • Fisheries season overlaps with salmon presence at location.
Very high (VH)	• Gear present in one or more of the LGB5 rivers or licenses not defined by exact river but in Statistical District/ Area 2 (CB and MB) 'housing' LGB5

Category	Description
	rivers PLUS the Petitcodiac River. • Fisheries season overlaps with salmon presence at location

[1] Defined as the iBoF not receiving support from the Live Gene Bank

Table A4.3 - Level of risk rank assignment matrix as defined by Clarke et al. 2014.

		Severity				
		Negligible	**Low**	**Medium**	**High**	**Extreme**
Extent	**Low**	Low	Low	Low	Low	Medium
	Medium	Low	Low	Medium	Medium	Medium
	High	Low	Low	Medium	High	High
	Very High	Low	Medium	Medium	High	High

Reference

Clarke, C.N., S.M. Ratelle, and R.A. Jones. 2014. Assessment of the Recovery Potential for the Outer Bay of Fundy Population of Atlantic Salmon: Threats to Populations. DFO Can. Sci. Advis. Sec. Res. Doc. 2014/006. v + 103 p.

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